

COMBINED DECLARATION AND POWER OF ATTORNEY

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

		HEAT REFLECTIVE	COATED STRUCTURAL	ARTICLE
This d	eclaratio [X] [] [] [] []	n is of the following type: Original Design national stage of PCT. Divisional Continuation continuation-in-part (C-I-P)		RECEIVED APR 1 8 2002 I C 1700
the spe	ecificatio	on of which: (complete (a), (b), or	· (c))	
(a) (b) (c)	[X] w (if			12,399 and was amended on n/a filed on and was amended on (if
	ing the c	Acknowledgement of by state that I have reviewed and use laims, as amended by any amend whedge the duty to disclose information in this application in accordance	ment referred to above. mation which is material to th	above identified specification, ne patentability of the subject
[]	In comp	iance with this duty there is attac	hed an information disclosure	e statement. 37 CFR 1.98.
	I hereb	y claim foreign priority benefits ι	Priority Claim under Title 35, United States (Code, § 119(a)-(d) of any foreign

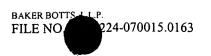
I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e)

-1-

- (d) [X] no such applications have been filed.
- (e) [] such applications have been filed as follows:

NY02:378403.1



PRIOR FOREIGN/PC APPLICATION	T APPLICATION(S) FILED WITH	HIN 12 MONTHS (6 MON	THS FOR DESIGN) PR	JOR TO SAID
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			'	[] YES NO []
	-			[] YES NO[]
				[] YES NO[]
ALL FOREIGN APPI APPLICATION	LICATION[S], IF ANY, FILED MO	DRE THAN 12 MONTHS (6 MONTHS FOR DESI	IGN) PRIOR TO SAID
ATEICATION				[] YES NO []
				[] YES NO []
				[] YES NO []
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Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed

below:

Provisional Application Number	Filing Date
60/168,057	November 30, 1999

Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

(complete this part only if this is a divisional, continuation or C-I-P application)

		Status
(Application Serial No.)	(Filing Date)	(patented, pending, abandoned)
09/663,255	September 15, 2000	Pending
		·

Power of Attorney

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Marta E. Delsignore, Reg. No. 32,689; and Lisa B. Kole, Reg. No. 35,225 of the firm of BAKER BOTTS, L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER BOTTS, L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	DIRECT TELEPHONE CALLS TO: BAKER BOTTS, L.L.P. (212) 705-5000
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NY02:378403.1 -2-



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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PATENT



IN THE UNITED STATES-PATENT & TRADEMARK OFFICE

Matti Kiik et al.

Serial. No.

09/712,399

Examiner: Not Assign

Filed

November 14, 2000

Gr. Art Unit: 1755

For

HEAT REFLECTIVE COATED STRUCTURAL ARTICLE

STATEMENT OF ADDITIONAL INVENTOR

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on:

Attorney Name

PTO Reg. No.

RECEIVED

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

I, Younger Ahluwalia, hereby declare that:

I am the Product Development Manager, Coated Products of Elk Corporation of Dallas ("ELK") the assignee of the above-referenced patent application.

I have read the application filed on November 14, 2000. The application discloses and claims products that include a coated structural article. One of the components of the article is my invention, the filler/binder coated substrate which is described in detail on pages 6 et seq. of the present application, which is the subject of United States Patent No.

PATENT

5,965,257, which issued in my name on October 12, 1999 and which is also owned by Elk. Accordingly, I am a co-inventor of the above-captioned application.

The omission of my name from the list of inventors for this application when filed was due to error which occurred without deceptive intention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

April 7, 2002

Date

Young - Ahluwalia

PATENT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

nt

Matti Kiik et al.

Serial. No.

09/712,399

Examiner: Not Assigned

Filed

November 14, 2000

Gr. Art Unit: 1755

For

HEAT REFLECTIVE COATED STRUCTURAL ARTICLE

CONSENT OF ASSIGNEE

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on:

Dage of Deposit

Attorney Name

29,030 PTO Peg. N

PTO Reg. No.

RECEIVED

Assistant Commissioner for Patents Washington, D.C. 20231

TC 1700

Sir:

I am the Vice President, Technical Services of Elk Corporation of Dallas, the assignee of the above-referenced application. My Statement Under 37 CFR 3.73(b) establishing the assignee's ownership of this application is attached hereto. I have the authority to act on behalf of the assignee.

The assignee consents to the addition of Younger Ahluwalia as an inventor to correct

inventorship in this application.

Date

Matti Kiik

BAKER BOTTS LLP



Matti Kiik et al.

STATEMENT WIDER 37 CFR 3.73(b)					
Applicant/Patent Owner: Matti Kiik et al.					
Application No./Patent No.: 09/712,399 Filed/Issue Date: November 14, 2000					
Entitled: HEAT REFLECTIVE COATED STRU	ICTURAL ARTICLE				
Elk Corporation of Dallas , a corpor	ation,				
(Name of Assignee) (Type of A	ssignee, e.g., corporation, partnership, university, government agency, etc.)				
states that it is:	RECE				
1. 🗹 the assignee of the entire right, title, and interest	t; or				
2. an assignee of less than the entire right, title and The extent (by, percentage) of its ownership into	d interest. erest is%				
in the patent application/patent identified above by virte	ue of either:				
A. An assignment from the inventor(s) of the patent was recorded in the United States Patent and T which a copy thereof is attached.	t application/patent identified above. The assignment rademark Office at Reel 011662, Frame0170, or for				
OR					
B. [] A chain of title from the inventor(s), of the paten	t application/patent identified above, to the current				
assignee as shown below:	application specific residues above, to the carroin				
	To:				
	, or for which a copy thereof is attached.				
2. From:	То:				
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.					
3. From:	То:				
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.					
[] Additional documents in the chain of title a	re listed on a supplemental sheet.				
[Copies of assignments or other documents in the characteristic [NOTE: A separate copy (i.e., the original assignment must be submitted to Assignment Division in accordance recorded in the records of the USPTO. See MPEP 3	nt document or a true copy of the original document) ance with 37 CFR Part 3, if the assignment is to be				
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.					
<u> </u>					
/ Date	Typed or printed name				
Signature					
	Vice President, Technical Services				



ASSIGNMENT

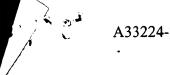
WHEREAS, I, YOUNGER AHLUWALIA, a citizen of the United States, residing in Desoto, County of Dallas, State of Texas, whose post office address is 604 Regalwood Drive, Desoto, Texas 75115, have made an invention entitled "Heat Reflective Coated Structural Article" as set forth and described in application for Letters Patent of the United States, Serial No. 09/712,399, filed November 14, 2000; and

WHEREAS, ELK CORPORATION OF DALLAS, a corporation organized and existing under the laws of the State of Delaware, and having an office for the transaction of business at 14643 Dallas Parkway, Suite 1000, Dallas, Texas 75240-8871, is desirous of acquiring the entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that I, the said YOUNGER AHLUWALIA, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to me in hand paid by said ELK CORPORATION OF DALLAS, and other valuable considerations unto me moving from said ELK CORPORATION OF DALLAS, at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said ELK CORPORATION OF DALLAS, its successors and assigns, the entire right, title and interest in and to the said invention entitled "Heat Reflective Coated Structural Article", as set forth and described in application for Letters Patent of the United States, Serial No. 09/712,399 filed November 14, 2000, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries therefor, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND I, the said YOUNGER AHLUWALIA, do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said ELK CORPORATION OF DALLAS, as the assignee of the entire right, title and interest in and to the same, for the sole use and benefit of said ELK CORPORATION OF DALLAS, its successors and assigns;

AND I, the said YOUNGER AHLUWALIA, for the considerations aforesaid, do hereby covenant and agree to and with said ELK CORPORATION OF DALLAS, its successors and assigns, that I have the full power to make this assignment, and that the rights



assigned are not encumbered by any grant, license or right heretofore given, and that I, my executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said ELK CORPORATION OF DALLAS, its successors and assigns, may be required or necessary more effectively to secure to and vest in said ELK CORPORATION OF DALLAS, its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that I will sign any applications for reissue which may be desired by the owner of the patent or patent which may be issued for the said invention or improvements.

IN WITNESS WHEREOF, I, the said YOUNGER AHLUWALIA, have hereunto set my hand and seal on the date below written.

Younger Ahlewaha

**ZOUNGER AHLUWALIA

STATE OF TEXAS) : ss.: COUNTY OF ELLIS)

BE IT KNOWN, that on this Aday of April, 2002, before me personally came YOUNGER AHLUWALIA, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

LORRAINE NASH
ANY COMMUSSION BUTTES
February 08, 2004

<u> Xennene Nash</u> Notary Public





PTAS

UNITED ST DEPARTMENT OF COMMERCE Patent and Authority AND COMMISSIONER

OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 14, 2001

BAKER BOTTS L.L.P. ANTHONY GIACCIO, ESQ. 30 ROCKEFELLER PLAZA - 44 FL. NEW YORK, NY 10112



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/30/2001

REEL/FRAME: 011662/0170

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KIIK, MATTI

DOC DATE: 01/29/2001

ASSIGNOR:

TOBIN, ROBERT JOSEPH

DOC DATE: 01/29/2001

ASSIGNOR:

HAHN, LOUIS T.

DOC DATE: 01/26/2001

ASSIGNOR:

BEERER, MARGIE A.

DOC DATE: 01/26/2001

ASSIGNEE:

ELK CORPORATION OF DALLAS 14643 DALLAS PARKWAY, SUITE 1000 DALLAS, TEXAS 75240-8871

SERIAL NUMBER: 09712399

PATENT NUMBER: 09/1239

ISSUE DATE:

FILING DATE: 11/14/2000

011662/0170 PAGE 2

MARY BENTON, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

ASSIGNMENT

WHEREAS, We, MATTI KIIK, ROBERT JOSEPH TOBIN, LOUIS T. HAHN, and MARGIE A. BEERER, citizens of the United States, residing in Richardson, County of Dallas, State of Texas; Double Oak, County of Denton, State of Texas; Waxahachie, County of Ellis, State of Texas; and Ennis, County of Ellis, State of Texas, respectively, whose post office addresses are 2500 Springwood Lane, Richardson, Texas 75082; 121 Oakview Drive, Double Oak, Texas 75077; 110 Oak Tree Drive, Waxahachie, Texas 75165; and 702 South Hall Street, Ennis, Texas 75119, respectively, have made an invention entitled "Heat Reflective Coated Structural Article," as set forth and described in application for Letters Patent of the United States, Serial No. 09/712,399, filed November 14, 2000; and

WHEREAS, ELK CORPORATION OF DALLAS, a corporation organized and existing under the laws of the State of Delaware, and having an office for the transaction of business at 14643 Dallas Parkway, Suite 1000, Dallas, Texas 75240-8871, is desirous of acquiring the entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that We, the said MATTI KIIK, ROBERT JOSEPH TOBIN, LOUIS T. HAHN, and MARGIE A. BEERER, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States, to us in hand paid by said ELK CORPORATION OF DALLAS, and other valuable considerations unto us moving from said ELK CORPORATION OF DALLAS, at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said ELK CORPORATION OF DALLAS, its successors and assigns, the entire right, title and interest in and to the said invention entitled "Heat Reflective Coated Structural Article," as set forth and described in application for Letters Patent of the United States, Serial No. 09/712,399 filed November 14, 2000, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries therefor, TO HAVE AND TO HOLD THE SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND We, the said MATTI KIIK, ROBERT JOSEPH TOBIN, LOUIS T. HAHN, and MARGIE A. BEERER, do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States to said ELK CORPORATION OF DALLAS, as the assignee of the entire right, title and interest in and to

See Above
March 30, 2001
11662 0170

ROBERT JOSEPH TOBIN

STATE OF Jexus

: ss.:

COUNTY OF WOLL

VOTGON
The Nate of Toxas
Automotic expires 06-11-02

BE IT KNOWN, that on this 21 day of 2001, before me personally came ROBERT JOSEPH TOBIN, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Notary Public

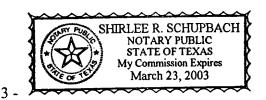
LOUIS T. HAHN

STATE OF SEXOLA

COUNTY OF EDIL)

BE IT KNOWN, that on this 21th day of January, 2001, before me personally came LOUIS T. HAHN, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Notary Public



MARGIE A. BEERER

STATE OF) : ss.: COUNTY OF)

BE IT KNOWN, that on this 26^{rh} day of 5anuary, 2001, before me personally came MARGIE A. BEERER, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Notary Public

SHIRLEE R. SCHUPBACH
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires
March 23, 2003

the same, for the sole use and benefit of said ELK CORPORATION OF DALLAS, its successors and assigns;

AND We, the said MATTI KIIK, ROBERT JOSEPH TOBIN, LOUIS T. HAHN, and MARGIE A. BEERER, for the considerations aforesaid, do hereby covenant and agree to and with said ELK CORPORATION OF DALLAS, its successors and assigns, that we have the full power to make this assignment, and that the rights assigned are not encumbered by any grant, license or right heretofore given, and that we, our executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said ELK CORPORATION OF DALLAS, its successors and assigns, may be required or necessary more effectively to secure to and vest in said ELK CORPORATION OF DALLAS, its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patent which may be issued for the said invention or improvements.

IN WITNESS WHEREOF, We, the said MATTI KIIK, ROBERT JOSEPH TOBIN, LOUIS T. HAHN, and MARGIE A. BEERER, have hereunto set our hands and seals on the dates below written.

MATTI KIIK

STATE OF

COUNTY OF 1 AMO)

BE IT KNOWN, that on this 21 day of 22 to 2001, before me personally came MATTI KIIK, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Notary Public



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